

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF ADMINISTRATIVE LAW JUDGES

The Secretary, United States
Department of Housing and Urban
Development, on behalf of
Metropolitan Milwaukee Fair Housing
Council, Inc.,

Charging Party,

v.

Kenneth S. Wilkowski, Sr.,

Respondent.

HUDALJ 05-90-0931-1

**INITIAL DECISION AND ORDER
ON PETITION FOR ATTORNEY'S FEES AND COSTS**

In the Initial Decision issued in this proceeding on May 18, 1993, Intervenor Metropolitan

Milwaukee Fair Housing Council was a prevailing party. The Act and the regulations authorize a prevailing party, excluding HUD but including an intervenor, to apply for attorney's fees and costs. 42 U.S.C. § 3612(p); 24 C.F.R. § 104.940(b). Counsel for the Intervenor has done so. Respondent has filed no opposition to the petition. Intervenor's petition, accompanying affidavit and interim statement claim hourly rates, hours expended, and expenses that appear reasonable for the work performed in this case. *Cf. Hensley v. Eckerhart*, 461 U.S. 424, 433 (1985). Accordingly, Respondent Kenneth S. Wilkowski, Sr., is hereby ORDERED to pay Intervenor Metropolitan Milwaukee Fair Housing Council \$3,766.73 as attorney's fees and costs on or before November 22, 1993.

THOMAS C. HEINZ
Administrative Law Judge

Dated: October 21, 1993.